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REMARKS

Claims 1-27 of the application stand rejected. Claims 1-4, 6, 7, 9, 11, 17, 19-22, 26 and 27 have been amended herein to more clearly define the scope of the presently claimed invention. Applicants respectfully requests reconsideration of pending Claims 1-27 in light of the amendments and remarks herein.

Claim Objections

The Examiner objected to various informalities in Claims 1-3, 6-13, 17-19, 21-23, 26 and 27. Applicants respectfully submit that these minor informalities have been addressed in the amended claims presented herein. Applicants therefore respectfully request the Examiner to withdraw the objection to rejection to Claims 1-3, 6-13, 17-19, 21-23, 26 and 27.

Double patenting rejection

The Examiner provisionally rejected Claims 1-27 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-30 of co-pending Application Serial. No. 09/846,521 (Attorney Docket No: P10186). The Examiner suggests that although the conflicting claims are not identical, they are not patentably distinct from each other because both the present application and 09/946,521 disclose similar elements. Applicants respectfully submit a terminal disclaimer herewith, in compliance with 37 C.F.R. §1.321(c). Applicants therefore respectfully request the Examiner to withdraw the double patenting rejection to Claims 1-27.

35 U.S.C. §102

Claims 1-27 stand rejected under 35 U.S.C. §102(e) as anticipated by Wolton et al., U.S. Publication No. 2004/0030741 ("Wolton"). The Examiner submits that Wolton discloses all the elements in these claims. Applicants respectfully traverse the Examiner's rejection.

Wolton discloses a method and apparatus for search, visual navigation, analysis and retrieval of information from networks with remote notification and content delivery.

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In contrast, the present invention is directed at coalescing information from multiple sources. With respect to Claim 1, for example, the present invention claims a system and method including a plurality of agents that receive and send formatted information via a network where the information is formatted according to a pre-defined syntax recognized by the agent and a priority rule based coalescing mechanism. The priority rule-based coalescing mechanism in turn coalesces the formatted information within a coalesced file according to corresponding priority rules defined with respect to each of the plurality of agents, and then generates an updated coalesced file.

The Examiner suggests that the Abstract and p35, paragraph 790 of Wolton disclose the first claimed element, namely agents that receive and send formatted information via a network where the information is formatted according to a pre-defined syntax. Applicants respectfully disagree. The Abstract merely states "The result of searches performed by the system can retrieve user selected documents from a network and automatically format results of the search and content retrieval using a plurality of ranking methods". Applicants submit that this sentence does NOT disclose that the information is formatted according a predefined syntax recognized by the plurality of agents AND the priority rule-based coalescing mechanism. Similarly, paragraph 790 states the following:

> "An advantage of the present invention is the ability to rapidly and automatically update shell application programs and priorities of subsequent agents activity by chaining agents. This autonomous rapid update process using live search over a network of disparately formatted and heterogenous information, provides maximum recency of information to the shell environment applications. This effects better specificity, currency and relevance of information, and provides more reliable, actionable information Further, such information aggregation production can be based on using popularly higher ranked information sources or known higher authority sources."

This section also makes no reference to the information being formatted according to a predefined syntax recognized by the plurality of agents and the priority rule-based coalescing mechanism. In fact, the section talks about "disparately formatted and heterogenous information", implying that there is no pre-defined format. Applicants respectfully submit that Wolton therefore cannot and does not describe the first element of the claimed invention.

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Wolton also does not describe the second claim element, namely a priority rule-based coalescing mechanism capable of receiving the formatted information from the plurality of agents, synchronizing the formatted information according to corresponding priority rules defined with respect to each of the plurality of agents, and processing the synchronized coalesced file to generate an updated coalesced file. The Examiner suggests that p35, paragraph 790 and p43, paragraph 1019 of Wolton disclose this element of the claimed invention. Again, Applicants strongly disagree.

As previously described, paragraph 790 of Wolton makes no mention of the formatted information in a predefined syntax recognized by both the plurality of agents as well as the priority rule-based coalescing mechanism. There is also no mention in this section or anywhere else in Wolton of generating an updated coalesced file. Paragraph 1019 of Wolton reads as follows:

> "The registry of private agent and inter-agent activities are called agent plans. Agent plans are matched to external requests. The plan registry can have ranking and priority, so that if certain agent activities are proposed by human users or meta-agents, the agent can select the higher ranking behavioral option in the registry that fits the request. Plan ranking can be designated by the human user, or owner, of the agent. If the human user has designated a meta-agent authority over individual agent collections, the plan ranking of an individual agents private or inter-agent behavior can be designated, on an on-call basis, by a meta-agent."

This section does not disclose a priority rule-based coalescing mechanism, coalesced files and/or updated coalesced files. The mere fact that this section mentions "ranking and priority" does not in and of itself anticipate the second element of the claimed invention. These sections of Wolton highlighted by the Examiner do not disclose key aspects of the claim element and the Examiner makes no showing that they do. Applicants therefore respectfully submit that Wolton does not disclose this element of Claim 1 and therefore cannot anticipate this claim.

The Examiner suggests that Wolton also anticipates Claims 2 and 3 of the present invention. Applicants respectfully disagree. Claims 2 and 3 are dependant on Claim 1 and since as described above, Wolton does not anticipate Claim 1, Applicants respectfully submit that Wolton also does not anticipate these dependant claims. Finally, the Examiner suggests that the rejection to Claims 1-3 apply fully to Claims 4-27.

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Applicants respectfully submit that Claims 4-27 include all the same limitations as
Claims 1-3 and as such, the arguments presented above also apply to these claims.
Applicants therefore respectfully submit that Wolton does not anticipate Claims 4-27.

In summary, Applicants respectfully submit that Wolton does not anticipate
Claims 1-27 under 35 U.S.C. §102(e) and therefore respectfully request the Examiner to
withdraw this rejection to these claims.
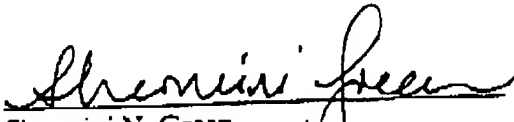
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CONCLUSION

Based on the foregoing, Applicants respectfully submit that the applicable objections and rejections have been overcome and that pending Claims 1-27 are in condition for allowance. Applicants therefore respectfully request an early issuance of a Notice of Allowance in this case. If the Examiner has any questions, the Examiner is invited to contact the undersigned at (310) 406-2362.

If there are any additional charges, please charge Deposit Account No. 50-0221.

Respectfully submitted,

Dated: December 14, 2004

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